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FREED THEN FIRED

No rape raps because 'the prosecution really failed to prove their case' - juror



A relieved officer Franklin Mata leaves Manhattan Supreme Court yesterday after myriad not guilty verdicts in rape trial. Photo by Bryan Smith



Kenneth Moreno's defense attorney Joseph Tacopina.

HOW DEFENSE WON

Prosecutors presented reams of evidence in the rape trial of Officers Kenneth Moreno and Franklin Mata, but the cops were acquitted of the top charges.

Here's how some parts of the case broke down in the defense's favor:

- **DNA EVIDENCE:** No semen or other genetic material from either cop was found in the woman's apartment.
- **HER TESTIMONY:** While the accuser stuck to her story on the stand, she admitted her memory was hazy from too much booze.
- **HIS TESTIMONY:** Though some of Moreno's comments about snuggling with the victim and singing to her were cringe-worthy, he did not budge from his story that he kept his clothes on and did not rape her.
- **THE VIDEOTAPE:** Footage showed the woman walking without much physical assistance into her building, raising questions about whether she was physically incapacitated.
- **THE AUDIOTAPE:** Moreno insisted he had not had sex with the woman 24 times before he said he did.